

VINCENT ROSENBALM

2100 NAPA VALLEJO HIGHWAY

NAPA, CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

VINCENT ROSENBALM } HABEAS CORPUS

V

} SUPPLEMENTAL

ED FOULK

} CASE NO: CV08-3436 SE

ON 7/9/2008 MY COURT ORDER WAS  
VACATED BY THE COURT OF APPEAL (STATE)  
AND THE CALIFORNIA STATE SUPREME  
COURT FOR MENDOCINO COUNTY CASE NO  
MCUK CR CR 06-74005. ACCORDING TO  
THE LAW AND PENAL CODE 1382(1)  
ED FOULK - EXECUTIVE DIRECTOR OF  
NAPA STATE HOSPITAL HAD 15  
DAYS TO HOLD ME OR RELEASE ME.  
AFTER 15 DAYS WERE UP I CALLED  
HIS OFFICE AND ASKED TO BE  
RELEASED, HE REFUSED. THIS  
IS A VIOLATION OF MY SPEEDY  
TRIAL RIGHTS AND THIS KIDNAPPING  
HAS GONE FAR ENOUGH. I ASK FOR  
AN INJUNCTION OR SANCTION TO  
RELEASE ME FROM ILLEGAL CUSTODY.  
IN FACT IT WAS 20 DAYS AFTER THE  
ORDER WAS VACATED THAT ED FOULK  
TRANSFERRED CUSTODY TO MENDOCINO.

COUNTY SHERIFFS ON 7/28/2008 ABOUT 11:00 AM AND I ARRIVED AT MENDOCINO COUNTY JAIL AT 1:00 PM THAT DAY. THEN MENDOCINO SHERIFFS REFUSED TO ARRAIGN ME WITHIN 72 HOURS ANOTHER VIOLATION OF MY CONSTITUTIONAL RIGHTS. THEY ARRAIGNED ME AT 1:40 PM ON JULY 31, 2008.

AFTER THE JULY 31, 2008 HEARING MY COURT APPOINTED ATTORNEY WENT ON VACATION FROM 8/1/2008 TO 8/7/08. I CALLED THE PUBLIC DEFENDERS OFFICE AND THEY TOLD ME SHE WOULD BE GONE FOR A WEEK. I LEFT A MESSAGE ON HER PHONE TO DELIVER ME A WRIT OF MANDATE I NEED FOR THE COURT OF APPEAL, BUT SHE REFUSED TO COME TALK TO ME AT THE JAIL AND REFUSED TO DELIVER ME A WRIT OF MANDATE THAT I BELIEVE HAD A 10-DAY LIMIT TO FILE CONCERNING A 170.6 MOTION AGAINST JUDGE BROWN ON 7/31/08. FURTHERMORE THE JAILERS REFUSED TO GIVE ME MY LEGAL PAPERWORK, WHICH HAD A WRIT OF MANDATE IN IT, AND

EXHIBIT A PAGE 3

1 ~~WITNESS~~ ALSO WHEN I REQUESTED A  
2 WRIT OF MANDATE WOULD NOT  
3 GIVE ME ONE. THE WHOLE 2  
4 WEEKS I WAS IN JAIL THEY RE-  
5 FUSED TO DELIVER ME MY CON-  
6 FIDENTIAL LEGAL PAPERS. ON  
7 TRANSFER TO NAPA STATE HOSPITAL  
8 ON 8/11/2008 ADMISSIONS REFUSED  
9 TO GIVE ME MY CONFIDENTIAL LEGAL  
10 MAIL AND TOLD ME THEY WERE  
11 KEEPING IT TO SCAN IT.

12 THIS ACTION OF CONFISCATING  
13 MY LEGAL PAPERS HAS BLOCKED  
14 MY ACCESS TO THE COURTS AND  
15 HAS CAUSED "INJURY" BY  
16 MISSING TIME LIMITS AND PERPETUATING  
17 MY CONFINEMENT. SUCH IS THE  
18 CASE WITH THIS WRIT OF MANDATE.  
19 (SEE LEWIS V CASEY 518 U.S.C. 343, 357, 116 S. CT.  
20 2174, 135 L. ED. 2D 606 (1996)) I NEED MY  
21 LEGAL WORK AND COURT PAPERS TO  
22 FILE MOTIONS IN COURT. HOSPITAL  
23 WORKERS TOLD ME THE REASON FOR  
24 TAKING MY LEGAL PAPERS WAS TO SCAN  
25 THEM. THIS POLICY REQUIRING PRISONERS  
26 ~~TO~~ CONFIDENTIAL LEGAL PAPERS FOR  
27 SCANNING, COPYING OR INSPECTION IS A  
28 VIOLATION OF MY DUE PROCESS. THIS IS



EXHIBIT A PAGE 4

1 A CONSTITUTIONAL ERROR AND THE  
2 PROPER REMEDY IS REVERSAL. ON  
3 8/14/08 HOSPITAL WORKERS RETURNED  
4 MY LEGAL PAPERS, BUT SOME OF THE  
5 PAPERWORK WAS MISSING. BECAUSE  
6 I AM DENIED PACER I NEED COPIES  
7 OF MY PAPERWORK TO CONTINUE MY CASE  
8 BUT THIS PROCESS IS DESTROYED BY  
9 POLICE TAMPERING WITH MY PAPERWORK.  
10 THEY ALSO MIXED FEDERAL AND STATE  
11 PAPERWORK TOGETHER. I TRY NOT TO  
12 SEND IN TWO COPIES OF THE SAME DOCUMENT  
13 TO COURT, BUT IF POLICE DESTROY MY  
14 PAPERWORK I HAVE NO WAY TO KEEP  
15 RECORD OF WHAT IS SENT. AND MAIL  
16 IS ANOTHER STORY, THEY USUALLY  
17 GIVE ME RECEIPTS FOR MY MAIL  
18 BUT SOMETIME THEY DO NOT? IN  
19 THIS CASE I MAY SEND IN TWO  
20 COPIES OF THE DOCUMENT JUST TO  
21 MAKE SURE THE COURT GETS IT.?

22 CAN THE COURT GET ME A  
23 SANCTION OR INJUNCTION TO GET  
24 PACER SO I CAN HAVE ACCESS TO THE  
25 COURTS? NOT KNOWING IF MY MAIL  
26 IS SENT AND POLICE TAMPERING  
27 WITH MY LEGAL MAIL IS A SERIOUS  
28 ISSUE AND NEEDS TO BE STOPPED.

GLUTH V KANGAS, 951 F.2d 1504 (9th Cir. 1991). THE NINTH CIRCUIT COURT OF APPEAL FOUND DENIAL OF ACCESS TO THE COURTS VIOLATED A PRISONERS' CIVIL RIGHTS. I HAVE BEEN CONTINUALLY DENIED ACCESS TO THE COURTS THROUGHOUT MY CASE.

Cal. CODE REGS. tit. 15 § 3160 Access to courts  
(A) INMATE ACCESS TO THE COURTS SHALL NOT BE OBSTRUCTED

DENYING ME A WRIT OF MANDATE FROM 7/28/2008 to 8/14/2008 DENIED ME ACCESS TO THE COURTS. I ASKED MY LAWYER FOR ONE, SHE REFUSED. I SENT A REQUEST TO THE JAILERS. THEY REFUSED. I HAD ONE IN MY PROPERTY FOR (3) WEEKS BUT POLICE AND HOSPITAL workers refused me my PROPERTY. THIS CONSTITUTIONAL ERROR OF THE 14TH AMENDMENT REQUIRES REVERSAL FOR "DAMAGES" AND "INJURY"

UNDER THE PENALTY OF PERJURY THIS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

VINCENT ROSENBAUM

Vincent Rosenbaum

PROOF OF SERVICE

8/17/2008

I am Vincent Rosenbalm an American citizen over 18 years of age.

ON 8/17/2008 I served +HE WITHIN

(5 pages) 1) HABEAS CORPUS (SUPPLEMENTAL)

by placing A COPY IN +HE NAPA STATE HOSPITAL MAIL ADDRESSED:

COURT CLERK

U.S. DISTRICT COURT

450 Golden Gate Ave

SAN FRANCISCO, CA 94102

From

Vincent Rosenbalm

2100 Napa Valley Highway

Napa, CA 94558

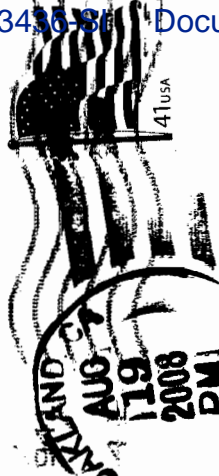
Under the Penalty of Perjury  
This is true and correct  
To the best of my knowledge.

Vincent Rosenbalm

VINCENT ROSENBAUM  
2100 Napa Valley Highway  
Napa, CA 94558

SAN FRANCISCO CA 94102

20 AUG 2008 PM 4



LEGAL MAIL

COURT CLERK

U.S. DISTRICT COURT

450 GOLDEN GATE AVE

SAN FRANCISCO, CA 94102

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